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PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY
(Chapter I of the Patent Cooperation Treaty)

(PCT Rule 44bis)

Applicant's or agent's file reference DK-WO040630P	FOR FURTHER ACTION		See item 4 below
International application No. PCT/JP2005/013814	International filing date (day/month/year) 28 July 2005 (28.07.2005)	Priority date (day/month/year) 04 August 2004 (04.08.2004)	
International Patent Classification (8th edition unless older edition indicated) See relevant information in Form PCT/ISA/237			
Applicant DAIKIN INDUSTRIES, LTD.			

1. This international preliminary report on patentability (Chapter I) is issued by the International Bureau on behalf of the International Searching Authority under Rule 44 bis.1(a).

2. This REPORT consists of a total of 4 sheets, including this cover sheet.

In the attached sheets, any reference to the written opinion of the International Searching Authority should be read as a reference to the international preliminary report on patentability (Chapter I) instead.

3. This report contains indications relating to the following items:

<input checked="" type="checkbox"/> Box No. I	Basis of the report
<input type="checkbox"/> Box No. II	Priority
<input type="checkbox"/> Box No. III	Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
<input type="checkbox"/> Box No. IV	Lack of unity of invention
<input checked="" type="checkbox"/> Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
<input type="checkbox"/> Box No. VI	Certain documents cited
<input type="checkbox"/> Box No. VII	Certain defects in the international application
<input type="checkbox"/> Box No. VIII	Certain observations on the international application

4. The International Bureau will communicate this report to designated Offices in accordance with Rules 44bis.3(c) and 93bis.1 but not, except where the applicant makes an express request under Article 23(2), before the expiration of 30 months from the priority date (Rule 44bis .2).

Date of issuance of this report 06 February 2007 (06.02.2007)

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland Facsimile No. +41 22 338 82 70	Authorized officer Yoshiko Kuwahara e-mail: pt07.pct@wipo.int
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Form PCT/TB/373 (January 2004)

PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

To:

PCT

TRANSLATION

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

(PCT Rule 43bis.1)

		Date of mailing (day/month/year)
Applicant's or agent's file reference DK-WO040630P		FOR FURTHER ACTION See paragraph 2 below
International application No. PCT/JP2005/013814	International filing date (day/month/year) 28.07.2005	Priority date (day/month/year) 04.08.2004
International Patent Classification (IPC) or both national classification and IPC 		
Applicant DAIKIN INDUSTRIES, LTD.		

1. This opinion contains indications relating to the following items:

<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
Box No. I	Basis of the opinion				Box No. II	Priority		
					Box No. III	Non-establishment of opinion with regard to novelty, inventive step and industrial applicability		
					Box No. IV	Lack of unity of invention		
					Box No. V	Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement		
					Box No. VI	Certain documents cited		
					Box No. VII	Certain defects in the international application		
					Box No. VIII	Certain observations on the international application		

2. **FURTHER ACTION**

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA/JP	Authorized officer
Facsimile No.	Telephone No.

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/JP2005/013814

Box No. I Basis of this opinion

1. With regard to the language, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.
 This opinion has been established on the basis of a translation from the original language into the following language _____, which is the language of a translation furnished for the purposes of international search (under Rule 12.3 and 23.1(b)).
2. With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
 - a. type of material
 - a sequence listing
 - table(s) related to the sequence listing
 - b. format of material
 - in written format
 - in computer readable form
 - c. time of filing/furnishing
 - contained in the international application as filed.
 - filed together with the international application in computer readable form.
 - furnished subsequently to this Authority for the purposes of search.
3. In addition, in the case that more than one version or copy of a sequence listing and/or table(s) relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/JP2005/013814

Box No. V		Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement																									
<p>1. Statement</p> <table> <tr> <td>Novelty (N)</td> <td>Claims</td> <td>1 - 8</td> <td>YES</td> </tr> <tr> <td></td> <td>Claims</td> <td></td> <td>NO</td> </tr> <tr> <td>Inventive step (IS)</td> <td>Claims</td> <td></td> <td>YES</td> </tr> <tr> <td></td> <td>Claims</td> <td>1 - 8</td> <td>NO</td> </tr> <tr> <td>Industrial applicability (IA)</td> <td>Claims</td> <td>1 - 8</td> <td>YES</td> </tr> <tr> <td></td> <td>Claims</td> <td></td> <td>NO</td> </tr> </table>				Novelty (N)	Claims	1 - 8	YES		Claims		NO	Inventive step (IS)	Claims		YES		Claims	1 - 8	NO	Industrial applicability (IA)	Claims	1 - 8	YES		Claims		NO
Novelty (N)	Claims	1 - 8	YES																								
	Claims		NO																								
Inventive step (IS)	Claims		YES																								
	Claims	1 - 8	NO																								
Industrial applicability (IA)	Claims	1 - 8	YES																								
	Claims		NO																								
<p>2. Citations and explanations:</p> <p>Document 1: JP, 3-36474, A (Toshiba Corp.), 18 February, 1991 (18.02.91), page 2, lower left column, line 13 to page 3, lower right column, line 6, Figs. 1 and 2</p> <p>Document 2: Microfilm of the specification and drawings annexed to Japanese Utility Model Application No. 116668/1990 (Laid-open No. 74257/1992), (Mitsubishi Heavy Industries, Ltd.), 29 June, 1992 (29.06.92), page 5, line 16 to page 6, line 8, Fig. 1</p> <p>Document 3: Microfilm of the specification and drawings annexed to Japanese Utility Model Application No. 147414/1985 (Laid-open No. 57038/1987), (Mitsubishi Electric Corp.), 9 April, 1987 (09.04.87), page 9, line 15 to page 10, line 5, Fig. 1</p> <p>Document 4: JP, 62-276368, A (Diesel Kiki Co., Ltd.), 1 December, 1987 (01.12.87), page 3, lines 12-20, Fig. 1</p> <p>Document 5: JP, 2003-240364, A (Denso Corp.), 27 August, 2003 (27.08.03), paragraphs [0024] and [0025], Fig. 1</p> <p>Document 6: JP, 2003-287291, A (Mitsubishi Electric Corp.), 10 October, 2003 (10.10.03), paragraph [0002], Fig. 7</p>																											
<p>The subject matters of claims 1, 2, 7 and 8 do not appear to involve an inventive step in view of documents 1-4 cited in the ISR. A person skilled in the art could have easily applied (1) the structure described in document 2 wherein oil in an evaporator is returned by means of a hot gas, (2) the structure described in document 3 wherein a discharge gas is mixed with a refrigerant after a hot-gas bypass to prevent compression into liquid and (4) the structure of the evaporator described in document 4, to the air conditioner in document 1.</p>																											
<p>The subject matters of claims 3 and 4 do not appear to involve an inventive step in view of documents 1-4 and document 5 cited in the ISR. A person skilled in the art could have easily applied the structure described in document 5 wherein a bypass is provided from the top of a receiver to the suction side of a compressor, to the air conditioner in document 1.</p>																											
<p>The subject matters of claims 5 and 6 do not appear to involve an inventive step in view of documents 1-4 and document 6 cited in the ISR. A person skilled in the art could have easily applied the constitution described in document 6 wherein a water-cooled plate heat exchanger is used as an evaporator, to the air conditioner in document 1.</p>																											